

HONORABLE JOHN C. COUGHENOUR

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

MICHAEL WELLS,

Plaintiff,

v.

BNSF RAILWAY COMPANY, a Delaware
corporation;

Defendants.

Case No. CV 7-861C

STIPULATION AND ORDER EXTENDING
DISCOVERY, EXPERT DISCLOSURES,
AND 39.1 ADR DEADLINES

STIPULATION

The parties, through their undersigned counsel of record, hereby stipulate as follows:

The expert disclosure deadline is currently set for May 16, 2008, and discovery closes May 30, 2008. An on-site inspection is scheduled for May 7, 2008, and the final fact witness deposition is scheduled for May 21, 2008. The parties assert that information and materials developed and furnished through the inspection and final fact witness deposition is needed before their expert witnesses can issue final opinions.

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1 In addition, the preservation for trial depositions of Plaintiff's treating physicians, Drs.
2 Larson and VanderWilde could not be scheduled until June 12th and 19th respectively.

3 Based on the above, the parties respectfully request that the following deadlines be
4 extended:

- 5 • Expert disclosures extended to May 27, 2008
- 6 • Close of Discovery extended to June 20, 2008
- 7 • Compliance with LR 39.1 extended to June 30, 2008

8 The parties do not anticipate any adjustment to the trial date or other CR 16 deadlines as
9 a result of these extensions.

10 Wherefore, the parties request that the court approve the attached order extending the
11 above deadlines.

12 DATED: May 5, 2008

**ROSSI, COX, VUCINOVICH
BREMSETH & FLASKAMP PC**

14 By: s/ James K. Vucinovich
15 James K. Vucinovich, WSBA #29199
16 Bahareh Samanian, WSBA #33165
ATTORNEYS FOR PLAINTIFF

17 **Montgomery, Scarp & MacDougall, PLLC**

18 By: s/ Bradley P. Scarp
19 Bradley P. Scarp, WSBA 21453
20 ATTORNEYS FOR DEFENDANT

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22
23
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ORDER

Based upon the foregoing Stipulation, IT IS HEREBY ORDERED that the following deadlines are extended, to-wit:

- Expert disclosures extended to May 27, 2008
- Close of Discovery extended to June 20, 2008
- Compliance with LR 39.1 extended to June 30, 2008
- The Court reminds the parties that the dispositive motions deadline has not been altered by the Court.

Dated: May 15, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "John C. Coughenour", written over a horizontal line.

Honorable John C. Coughenour
United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2008 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Bradley P. Scarp
brad@montgomeryscarp.com
Montgomery, Scarp & MacDougall, PLLC
1218 Third Avenue, Suite 2700
Seattle, WA 98101

Dated: May 15, 2008

**ROSSI, COX, VUCINOVICH
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